

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DOVER GLEN CONDOMINIUM
ASSOCIATION, on behalf of
themselves and others similarly situated,

Plaintiff,

v.

Civil Case No. 22-11468
Honorable Linda V. Parker

OAKLAND COUNTY,
a Government Unit,

Defendants.

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**ORDER GRANTING PLAINTIFFS' MOTION FOR PRELIMINARY
APPROVAL OF: (1) PROPOSED CLASS ACTION SETTLEMENT, (2)
NOTICE AND NOTICE PLAN, AND (3) ATTORNEYS' FEES AND
EXPENSE AWARD (ECF NO. 10)**

Plaintiff Dover Glen Condominium Association's ("Plaintiff") Motion for Preliminary Approval of Class Action Settlement, Approval of Class Notice, and Setting Final Approval Hearing ("Preliminary Approval Motion") was heard by this Court on September 28, 2022 at 10:00 a.m. The Court, having considered the Preliminary Approval Motion, supporting papers, and the parties' evidence and argument, and good cause appearing, hereby **GRANTS** preliminary approval of the

Settlement. Capitalized terms in this Preliminary Approval Order shall have the definitions set forth in the Stipulation of Settlement.

IT IS HEREBY ORDERED:

1. The Court grants preliminary approval of the Settlement based upon the terms set forth in the Stipulation of Settlement.

2. The Court hereby preliminarily finds and determines that the Settlement set forth in the Stipulation of Settlement falls within the range of reasonableness and appears to be presumptively valid, subject only to any objections that may be raised at the Final Approval Hearing.

3. The Court hereby preliminarily certifies the Settlement Class under Fed. R. Civ. P. 23(b)(3) as defined in the Stipulation of Settlement, pursuant to the terms and conditions of the Stipulation of Settlement and solely for the purposes of settlement. The Settlement Class shall be certified for no purpose other than to effectuate the terms and conditions of the Stipulation of Settlement.

4. This Court has jurisdiction over the parties and claims and preliminarily finds that the numerosity, commonality, typicality, and adequacy requirements of Fed. R. Civ. P. 23(a), and the predominance and superiority requirements of Fed. R. Civ. P. 23(b)(3), have been met and that class certification for purposes of approving the Settlement is warranted.

5. The Court appoints Jason J. Thompson and Kathryn E. Milz of Sommers Schwartz, P.C. as Class Counsel.

6. The Court appoints Dover Glen Condominium Association Class Representative.

7. The Court approves Simpluris, Inc. as the Settlement Administrator.

8. The Court approves, as to form and content, the Class Notice to the Stipulation of Settlement.

9. The Court directs the mailing of the Class Notice to the Settlement Class in accordance with the terms and conditions set forth in the Stipulation of Settlement. The Court finds that the deadlines and method selected for the mailing and distribution of the Class Notice, as set forth in the Stipulation of Settlement, meet the requirements of due process and provide the best notice practicable under the circumstances, and shall constitute due and sufficient notice to all persons entitled thereto.

10. A Final Approval Hearing will be held on November 16, 2022, at 10:00 a.m., or on another date convenient to the Court, to determine whether the proposed Settlement should be finally approved as fair, reasonable, and adequate as to the Settlement Class. As set forth in the Class Notice, members of the Settlement Class may support or oppose the Settlement or Class Counsel's request for Attorneys' Fees and Lawsuit Costs at the Final Approval Hearing. Class Counsel shall file any

briefs responding to any objections and their motion for fees and costs at least one week before the Final Approval Hearing.

11. The Court may continue the date of the Final Approval Hearing without further notice to members of the Settlement Class.

12. The Court retains exclusive jurisdiction over the Action to consider all further matters arising out of or connected with the Settlement.

IT IS SO ORDERED.

s/ Linda V. Parker
LINDA V. PARKER
U.S. DISTRICT JUDGE

Dated: September 30, 2022